



SEVP Special Report: STEM OPT Webinar Script

Rachel: Good afternoon, and welcome to the SEVP Special Report of STEM OPT. My name is Rachel Canty, and I'm the deputy director here at the Student and Exchange Visitor Program. With me today is Katie Westerlund, the acting chief of Policy and the chief of the School Certification Unit. We'll be your hosts today for our discussion about STEM OPT.

So first, a couple of procedural announcements for you. If you have any questions while we are presenting or if you are experiencing technical difficulties, please submit your question to the Technical Difficulties pod on your screen. Please only submit questions related to any technical difficulties you are experiencing. Please remember that we are not taking live questions during this webinar. We will answer pre-submitted questions throughout the presentation, but we will not be able to answer any content-specific questions submitted through the Technical Difficulties pod. Thank you to those who submitted questions to us. They were very helpful. A recording of the presentation will be available on Study in the States later today, and a transcript and FAQ document will be available in the coming weeks. During this presentation, we will only give a very brief overview of SEVIS functionality. For PDSOs and DSOs interested in the details, SEVP will host a separate SEVIS functionality webinar on April 29, 2016, from 1 to 2 p.m. Eastern Time. We encourage school officials to tune into that webinar.

Today, we'll be working through a number of issues as we talk about STEM OPT. We will start with important dates. The rule was published to the Federal Register on March 11 and becomes effective on May 10, 2016. We are going to talk about what stays the same, what has changed and how we'll transition from the old to the new regulation, as well as how we will adapt SEVIS. Finally, we'll also talk



about resources that will help you navigate the new regulation and answer some of the questions submitted to us.

So, the first point is to talk about some important dates. As I mentioned, the regulation was published to the Federal Register on March 11, 2016. Through May 9, 2016, DHS will continue to accept and process only 17-month STEM OPT extensions. We're going to talk about the transition plan in a few minutes. On May 10, 2016, the new regulation replaces the current 17-month STEM OPT extension. Aug. 8, 2016, is another very important date for current STEM OPT students. That is the deadline for anyone with an existing 17-month STEM OPT participant who qualifies to apply for a seven-month extension. We're going to discuss in a few minutes who qualifies for that STEM OPT extension.

At this point, I'm going to turn it over to Katie Westerlund to talk about what stays the same.

Katie: As you can see from the slide in front of you, many things will stay the same. DSOs will continue to recommend students for STEM OPT extension in SEVIS (if possible) prior to the student submitting an application. It's important to note that this applies even if the student bases a request for an extension on a previously obtained STEM degree from another SEVP-certified school.

Employers must be enrolled in the USCIS E-Verify employment eligibility verification program. We continue to require that the minimum number of work hours per week be 20 hours. Students cannot train for less than 20 hours per week with any one STEM OPT employer. Students may have more than one employer, allowing that they must work at least 20 hours a week per employer. This is also applicable to students with more than one employer.

Students must still apply for STEM OPT extensions while in a period of unexpired post-completion OPT.

I'll throw it back to Rachel to talk about some of the things that have changed.



Rachel: So, what has changed in the new final rule that, remember, becomes effective on May 10? One of the big points is that the new rule will allow for 24 months of STEM OPT, rather than 17 months currently. The final rule also improves and increases oversight and educational benefits for F-1 students taking part in practical training experience. Qualifying F-1 students are eligible for up to two STEM OPT extensions throughout the duration of their academic career. They must receive a qualifying STEM degree at a bachelor's degree or higher level. Finally, they must complete an additional period of regular OPT prior to applying for a second extension. We're going to talk about that more in detail later.

One of the other big pieces that has changed is that we now have the new Form I-983, what we consider the "Training Form." It is officially titled "Training Plan for STEM OPT Students."

As of the employment start date requested for the STEM OPT period, STEM OPT students and employers are subject to the terms of the Form I-983. The student completes the form with the prospective employer and returns the completed form — with the employer's signature — to the DSO. The start date trigger for terms of Form I-983 apply to all STEM extensions under the new rule, except to students applying for a seven-month extension, in which case all terms and conditions of the 24-month extension, besides the 150-day unemployment limit, apply on the date the student correctly files the Form I-765 requesting the seven-month extension. The training plan must clearly identify a STEM OPT student's learning objectives and employer's commitment to helping the student achieve objectives. The employer must attest that the student will not replace a full-time or part-time temporary or permanent worker. Students cannot be their own signatory employer for the purpose of the Form I-983, and students may not use self-employment as a basis for extension. DSOs should use their knowledge of and familiarity with F-1 regulations, including STEM OPT requirements finalized in this regulation. So, a DSO's role for this form is to check for completeness, keep the form in the student's record — outside of SEVIS until that functionality is available — and recommend OPT in SEVIS if regulatory requirements for recommendation



are addressed. DSOs are responsible for keeping the submitted Forms I-983 and self-evaluations in student records. DHS expects to incorporate the form into SEVIS at a later date.

Katie: I'll jump in here with a pre-submitted question. Is the Form I-983 final or is it still in draft?

Rachel: That's a great question. We've gotten this question a lot from people. It is the final form. We understand there was some confusion because it was originally posted without the OMB number and expiration date. If we haven't already, a new form with the official OMB number and the expiration date will be up, but it is the final version of the form.

The STEM OPT Hub on Study in the States has more detail about the Form I-983. There is a great tutorial in there that talks about each section of the form and provides much more detail about the form itself.

So, DSO responsibilities. The DSO then reviews the student's Form I-983 to ensure completeness, signatures and that the program requirements are addressed.

Katie: We have another pre-submitted question about the Form I-983. Does it have to be signed on or after the May 10, 2016, implementation date to be acceptable, or can the form be signed prior to that date and then submitted after May 10?

Rachel: The date that the student and the employer sign the form is not important — it doesn't matter if it's before or after May 10. However, a DSO may only recommend the 24-month STEM OPT on or after May 10, 2016.

DSOs are not required to conduct outside research into a particular employer prior to making STEM OPT recommendations, nor are they required to possess technical knowledge of a STEM field of study. We ask that the DSO ensure that the form addresses the questions asked (e.g., identify what kind of training will be



done) and make sure that they verify information they already know (e.g., information about the student that they may already have).

Katie: Another question that has come in is this: When a student applies for STEM OPT, does the DSO keep the Form I-983, submit the form to USCIS along with the Form I-765 or do both?

Rachel: The DSO retains the copy of the Form I-983 and it does not need to be submitted to USCIS unless USCIS requests a copy.

Katie: If a student submits an amended Form I-983, is the DSO expected to keep these amendments as well?

Rachel: Yes, the DSO is expected to keep all versions of the Form I-983.

Students must complete an annual self-evaluation on the training opportunity and provide it to their DSO. This reporting requirement will be explored later in the presentation.

Another new aspect of the rule is site visits. DHS may perform site visits to employer locations that train STEM OPT students. DHS will give at least 48 hours' notice before most site visits. They may request compliance information via email or phone in lieu of or in coordination with a site visit. DHS does not have to give 48 hours' notice if a site visit is triggered by a complaint or other evidence of noncompliance with STEM OPT extension regulations. As part of a site visit, DHS may confirm the employer has sufficient resources and supervisory personnel to effectively maintain the program, and ask employers to provide evidence used to assess wages of similarly situated U.S. workers, as this is another new provision of the regulation that employers must do. DHS will conduct site visits in a way that balances the burden to the employer with the need to ensure compliance with STEM OPT regulations. While DHS may physically inspect some sites, it may first, or instead, request information concerning compliance through email or by phone. DHS will maintain information obtained during site visits. The objective is to ensure students and employers are engaged in work-based learning



experiences consistent with the information in the student's form. So, DHS will perform the site visits and will not use them to inspect for compliance with laws and regulations other than these STEM OPT regulations.

Now, I'm going to turn it over to Katie to talk about other aspects that have changed.

Katie: Let's talk about eligible degrees. The STEM degree eligibility requirements include a bachelor's degree or higher in an eligible STEM field. There are eligible CIP codes, which are: 14, 26, 27, 40, and related fields that are listed as part of the updated STEM Designated Degree Program List. The current list is similar but not identical to the previous list under 17-month STEM OPT extension. DHS may consider a degree to be STEM even if it's not within a certain CIP two-digit series and may designate CIP codes meeting the definition at the two, four or six-digit level. Accreditation for a school from which a degree is earned must be from an accrediting agency recognized by the U.S. Department of Education. And, of note, DHS drew on the Department of Education's National Center for Education Statistics definition of "STEM field" to create the STEM Designated Degree Program List. The related fields often involve research, innovation or development of new technologies using engineering, mathematics, computer science or natural sciences, including physical, biological and agricultural sciences.

DHS only grants STEM OPT extensions once per degree level, and to qualify for a STEM OPT extension, the student must currently participate in a regular post-completion period of OPT. Some of those on a 17-month extension may also qualify for the additional seven months, but we will talk about that shortly.

An F-1 student may use a prior STEM degree from a currently accredited SEVP-certified school if they received their most recent degree from a currently accredited SEVP-certified school and received a prior qualifying STEM degree within 10 years preceding date of application for a STEM OPT extension with USCIS. That qualifying STEM degree must be on the DHS STEM Designated Degree Program List at the time the student submits an application for the extension. A



student's most recent degree does not necessarily need to be STEM-related if the student bases eligibility for extension upon a degree previously earned in the United States in a STEM field.

Rachel: So Katie, we got a lot of pre-submitted questions about prior degrees and one of the most common themes was this: A student has completed two consecutive STEM degrees (e.g., a bachelor's and then a master's in math, or a master's and a PhD in engineering), is currently on an OPT extension for the latter degree and has not completed OPT for the first degree.

Is that student eligible for an additional 24-month extension based on the first STEM degree?

Katie: STEM OPT must be an extension of a 12-month OPT period. Therefore, in this scenario, the first degree would not be eligible.

Now, we'll jump into some reporting requirements. Students must regularly check in with DSOs to complete self-evaluations. This is on top of the current requirement to check in every six months to validate SEVIS data. The responsibility is on the student to be proactive and communicative with their DSO. Students must complete two annual self-evaluations during the STEM OPT extension: the first after the first 12-month period of the STEM OPT extension and then at the end of the second 12-month period.

The DSO's responsibilities are to review the self-evaluation for completeness and updated information, and to use knowledge and familiarity with F-1 regulations finalized in this rule.

This new reporting requirement is in addition to the current six-month reporting requirement — STEM OPT students must confirm that SEVIS information correctly identifies their legal name and address, their employer name and address and the status of current employment.



Rachel: So Katie, one of the questions we got is: How are students reminded to fill out the annual self-evaluation? And what is the recommended course of action for a DSO if this requirement is missing?

Katie: It is incumbent on the students to remember to fill out the annual self-evaluation. A good practice may be that the DSOs remind students of this requirement that they must meet.

If a student fails to turn in an evaluation within 10 days following the end of the reporting period, the student may be terminated for not fulfilling the requirement.

Additionally, students must immediately notify DSOs of: material changes to the training form, termination of practical training experience, or a change in employer and employer noncompliance. So, material changes to Form I-983 include any change of the Employer Identification Number resulting from corporate restructuring, any reduction in student compensation not tied to a reduction of hours, any significant decrease in hours per week a student engages in a STEM training opportunity and significant changes to the employer's commitments or student's learning objectives, as documented on the Form I-983. Such changes require completion and submission of a new training form.

As long as a STEM student and employer meet regulatory requirements and the modified Form I-983 meets specified requirements, the student's employment authorization will not terminate based upon a change to the plan. A student must report termination of practical training experience to a DSO within 10 days of termination. The employer must report termination of a practical training experience to the DSO within five days of the termination. When a student begins a new practical training opportunity with a new employer less than 10 days after leaving a former employer, the student may fulfill all reporting obligations, including loss of employment and new training plan, by submitting a new Form I-983 training plan. If a student believes the employer is noncompliant with required regulations, we hope that the student will contact SEVP.



Now, to look at unemployment eligibility. Students who obtain a 24-month STEM OPT extension receive a total of 150 days of unemployment eligibility. So, 90 days allotted for regular post-completion OPT and an additional 60 days allotted for a STEM OPT extension. So, the 150-day unemployment limit applies to students seeking a seven-month extension upon approval of that extension.

Rachel: Now, we're going to talk about the transition plan. The transition plan seems to have generated a lot of questions, so we're going to walk through it in a lot of detail.

The most important thing to remember is that there is no automatic conversion for students currently on 17-month STEM OPT. Students are responsible for applying for the seven-month extension on their own.

To apply for the seven-month extension, students must be eligible. They must have at least 150 days remaining on the EAD when they apply, they must fulfill all new eligibility requirements, which includes filling out the training form, and they must submit the 24-month STEM OPT application and fees on or before Aug. 8, 2016.

Having at least 150 days remaining of 17-month STEM OPT guarantees that students who obtain an additional seven-month extension will have at least one year of practical training under the enhancements introduced in the 24-month extension, including DHS site visits, reporting requirements, and a statement and evaluation of goals and objectives. If a student anticipates they will enter the 60-day grace period before May 10, 2016, they should immediately apply for STEM OPT. Students applying for a seven-month extension must fulfill all new eligibility requirements, such as submitting a completed and signed Form I-983. Unless and until a student with a 17-month STEM OPT extension correctly files an application for a seven-month extension under transition procedures, the student, the student's employer and the DSO must continue to follow all terms and conditions that were in effect when the 17-month STEM OPT employment authorization was granted. Students currently on the 17-month STEM OPT



extension who do not seek seven-month extensions are permitted to complete an authorized 17-month period, barring termination or revocation of the EAD. To seek the seven-month extension, students with existing 17-month extensions must submit the 24-month STEM OPT application and fees on or before Aug. 8, 2016. They must submit within 60 days from the date the DSO enters the recommendation for the 24-month STEM OPT extension into the student's SEVIS record, just as currently.

Katie: Let me jump in with a question: To be eligible under the transition plan, do students need to have 150 days remaining on their extension at the time of filing?

Rachel: Yes. This is a very important piece to remember. For a student currently on 17-month STEM OPT to apply to lengthen the time period to 24 months, you must have 150 days remaining on your EAD. Applications must be made on or before Aug. 8, 2016. Therefore, if your EAD expires before Oct. 7, 2016, you may be ineligible. Because on May 10, 2016, you must have at least 150 days remaining, and 150 days out from May 10, 2016, is October 7 [*speaker incorrectly said Aug. 8, 2016 during the webinar*].

Katie: So, are only students on 17-month STEM OPT EADs expiring after Oct. 7, 2016, eligible for the extra seven months of STEM OPT?

Rachel: If they apply on May 10, 2016 [*speaker incorrectly said Aug. 8, 2016 during the webinar*]. The 150 days count from the time you apply. If you have 150 days left on your EAD when you apply, you are eligible. But, remember that you must apply on or before August 8, 2016. New terms and conditions (e.g., the Form I-983 requirements) take effect on the date the student correctly files the Form I-765 requesting the seven-month extension and not on the day approval is received. The only new condition that does not apply until approval of the application for seven-month extension is the increased 150-day unemployment limit.



So, the transition date. The 17-month STEM OPT regulations remain in effect until May 10, 2016. Students with applications approved prior to May 10, 2016, can follow the transition plan for existing 17-month EADs. DHS will process all STEM OPT extension applications according to previous regulations through May 9, 2016. Students with applications pending on May 10 will receive an RFE from USCIS to amend the application.

Katie: Should students wait until May 10 of this year to apply for the STEM OPT extension?

Rachel: Our best advice is that students should apply when they are eligible. Students who apply after May 10, 2016, will be applying for 24-month STEM OPT. If a student applies before May 10, 2016, and no determination is made by that date, they will receive an RFE to convert to a 24-month application.

Katie: Who should and should not wait until this date to apply for the extension?

Rachel: Apply when eligible. If you will be out of the period of eligibility to apply on May 10, 2016, then a student should apply earlier.

If an application for a seven-month extension is approved, USCIS will issue an EAD with a validity period that begins the day after the expiration date listed on the 17-month STEM OPT EAD.

So, who is eligible? The new regulations replace the current 17-month STEM OPT extension. Existing 17-month STEM OPT students applying for an extension with 150 days remaining on the EAD must properly file the Form I-765 starting on May 10 through Aug. 8, 2016. This means two categories of students. Each category is treated differently depending on whether the application is accepted by May 10, 2016. So, to be eligible, students must have either a STEM OPT application pending on May 10, 2016, or have an existing 17-month STEM OPT with 150 days remaining on the EAD when applying from May 10 through Aug. 8, 2016.



Students are ineligible if they have a 17-month STEM OPT EAD expiring on or before May 10, 2016, or a 17-month STEM OPT EAD with less than 150 days remaining on May 10, 2016.

Seventeen-month STEM applications pending on May 10, 2016. For students in this category, USCIS will issue RFEs to students with pending applications. The RFEs will allow students to amend the application to demonstrate eligibility for a 24-month extension. There is no need to incur an additional fee in this case and no need to refile the EAD. DHS will apply the requirements of 24-month STEM extensions to all pending 17-month STEM OPT applications beginning May 10, 2016. The RFE will allow students with pending applications to demonstrate eligibility for a 24-month extension by amending the current application without incurring an additional fee, instead of withdrawing and refiling the application. After USCIS issues an RFE to students with pending applications, the student must submit an updated Form I-20 endorsed on or after May 10, 2016. DHS considers the endorsed Form I-20 valid after EAD submission if received in response to a STEM OPT RFE. The endorsed Form I-20 indicates the DSO recommends the student for a 24-month STEM OPT extension and that the student has returned the completed and signed Form I-983 to their DSO.

Students may withdraw and refile, if desired. Students may only file for the STEM OPT extension if they are in a valid period of post-completion OPT at the time of filing. If the student withdraws the application for a STEM OPT extension after a period of post-completion OPT, the student is no longer eligible to file for the STEM OPT extension. If the student's post-completion OPT expires while the STEM OPT application is pending, the student will receive an automatic extension of employment authorization for up to 180 days upon expiration of the current employment authorization, which is the same rule as under 17-month extension.

Katie: We had a lot of questions regarding responding to RFEs. Are students with pending 17-month STEM OPT extensions on May 10, 2016, required to respond to



the RFE from USCIS if they only want to complete an extra 17 months of STEM OPT?

Rachel: What is important to remember is that after May 10, 2016, there is no option for a student to be granted 17-month STEM OPT. Therefore, if the student has a pending application on May 10 and they are sent an RFE, they must respond to the RFE.

Katie: What happens if a student does not respond to the RFE?

Rachel: If the student decides not to respond to the RFE, USCIS will treat the application for STEM OPT as abandoned, and the student will not receive any STEM OPT. To reiterate — on May 10, there is no longer the option to apply for 17-month STEM OPT. There is only the 24-month option.

Now, we are going to work through a couple of hypothetical eligible student scenarios to try to make sure that people understand the difference.

So, the first one — students on regular post-completion OPT with pending STEM OPT extension applications on May 10, 2016. As we've discussed, those students should expect to receive an RFE. Again, students must respond to the RFE with the requested evidence. If a student does not respond to the RFE, USCIS will treat that application as abandoned.

So, the next category is students who apply for a STEM OPT extension after May 10, 2016. They are good; as long as they've met the application requirements, there is no transition plan, basically, for them. They are just applying for the 24-month STEM OPT extension and they will be treated as such.

The third category is the most complicated — students currently on a 17-month STEM OPT extension. They are eligible if they have 150 days left on their EAD before applying for a STEM OPT extension and if they apply on or before Aug. 8, 2016.



Katie: Now, I'm going to briefly talk about SEVIS functionality. The SEVIS team has been developing workarounds to capture new STEM OPT extension eligibility requirements. The top priority piece of this is on prior degrees from other SEVP-certified schools. SEVP will continue to communicate workarounds to stakeholders in the coming weeks, and there will be a SEVIS release on May 13, 2016.

We recognize the SEVIS release is after the May 10, 2016, transition date. Unfortunately, the scheduling issues were beyond our control.

We already scheduled a release for May 13, 2016, to improve data sharing with other government systems. This release was originally intended to address interface improvements and did not include any functionality that affected users. The interfaces as part of this release require lengthy and complex advanced planning and coordinated, multi-agency testing. We were not able to reschedule the timing of this release without significant disruption to other government partners. With the publication of the final rule and the timing of the effective date, we were able to add to the deployment limited STEM functionality, including workarounds to account for students affected by the delay, only three days after the final rule's effective date, as opposed to releasing the functionality weeks later. The process for getting DHS clearances for releases is lengthy and time consuming. We would not have been able to get permission to deploy two separate releases within three days of each other.

We're happy to note, though, that there is a workaround for students addressed in the April 6, 2016, SEVIS Broadcast Message that went out to SEVIS users, for those students where those three days are critical to a student's ability to file on time. You can learn more about that in that Broadcast Message. We have worked with USCIS to ensure those few students are not penalized by the gap in SEVIS functionality.



So please be aware, there is more to come regarding SEVIS and STEM OPT. Save the date for our upcoming webinar on the topic on Friday, April 29, 2016, from 1 to 2 p.m. EDT. This presentation will be designed specifically for DSOs.

Rachel: So, we have worked hard here at SEVP to ensure there are plenty of resources for you who have questions about STEM OPT. We realize that this is a complicated new regulation and there are different pieces for different people. So, we have up on Study in the States a STEM OPT Hub. The hub includes information about: the transition plan for the new STEM OPT extension rule; the Form I-983 training plan; roles, responsibilities and requirements for students, DSOs and employers; and more resources.

The hub includes a link to a new video tutorial about completing the Form I-983.

We've already addressed many pre-submitted questions during our presentation, but now, as we wrap up, we will address a number of other pre-submitted questions on a variety of topics. The first question for Katie is: Can SEVP clarify whether a student on STEM OPT can enroll in classes during the OPT period? What level of academic study, if any, is permissible?

Katie: Per regulations, OPT is automatically terminated if a student begins study at another educational level, but recognize that recreational and avocational classes are fine.

Another pre-submitted question regarding STEM degrees: If students are limited to two lifetime OPT extensions, does a current 17-month STEM OPT student's application for an additional seven months count towards the original OPT extension?

Rachel: Yes, if a student is on 17-month extension and is granted a 24-month extension, this counts as one use of the STEM OPT extension. You still have one extension remaining.

Katie: Can the two lifetime extensions be based upon the same STEM degree?



Rachel: No. Each STEM OPT extension must be based on a separate degree.

Katie: And can a student use a STEM degree earned from a school overseas?

Rachel: No. For a degree to be eligible to be the basis for a STEM OPT extension, it must be granted from an SEVP-certified school and a school accredited from an accrediting agency recognized by the U.S. Department of Education. As SEVP does not certify schools that are not in the United States, for a school that is overseas granting a degree, that degree is not eligible for STEM OPT extension.

So Katie, if a student completes a non-STEM degree, is currently on post-completion OPT and is applying for a STEM OPT extension based upon a previously earned STEM degree, does any future training have to relate to the prior degree, the most recent degree or both?

Katie: The STEM OPT extension must directly relate to the degree that is serving as a basis for that extension. If a student is basing the STEM OPT on a prior degree, the training opportunity must be directly related to the prior STEM degree.

We've had some questions regarding dual degrees. This one is scenario-based: Our university system has several campuses and some of these campuses have different schools with separate Forms I-17 — the certification for the schools. Some students are enrolled in dual-degree programs from two different schools but under the same university system. If a student completes a STEM degree at one school, the school transfers the student's SEVIS record to complete the dual-degree at the non-STEM school and then the student applies for OPT, the student's degree would not be considered STEM. Under the new regulation, will students be eligible to apply for STEM OPT based on their first STEM degree?

Rachel: It's a little complicated, but STEM OPT must be based upon a degree. If a degree was granted in a STEM field on the CIP code list, then yes, it may be used as a basis for STEM OPT. However, if a student received one degree and it had



dual majors, where one major was STEM, then the student cannot base STEM OPT upon the major if the degree itself is not a STEM degree.

We've gotten another question on dual degrees. So when recommending a STEM OPT extension based upon a prior degree, should the DSO refer to the major CIP code in place at the time the degree was conferred or the major CIP code at the time of the recommendation, if it has changed?

Katie: DSOs should refer to the CIP code at the time of application and recommendation, and ensure that the degree is eligible at the time the DSO is recommending the student for the STEM extension.

Rachel: So, what happens if the prior degree had a CIP code not listed on the STEM Designated Degree Program List but the school has since modified the degree or formally revised the CIP code?

Katie: Again, take a look at the CIP code at the time of application and recommendation.

Rachel: As to what documentation is a DSO expected to obtain to verify that the prior degree is eligible? That one was a tricky one for us. That one is going to be a very scenario-based question, and we are asking DSOs to use your best judgement on the sort of documentation you may use.

Katie: So, if a student applies for a 17-month extension before May 10, 2016, should the student expect an approval or an RFE?

Rachel: If a student applies before May 10, 2016, they should expect either a determination or an RFE. It depends on how quickly USCIS is able to adjudicate the application. If the application is adjudicated before May 10, they will receive some sort of determination. If it's adjudicated after May 10, they will receive an RFE.

So another question we've gotten a lot is on thesis students. The new STEM OPT regulation indicates that a copy of the degree needs to be submitted to USCIS and



that a “Degree Awarded Date” must be entered into the Form I-983. How does this affect STEM students who are in the process of writing or defending a thesis? What date should be listed on the Form I-983?

Katie: Please enter the date expected for the degree to be awarded.

We received another question regarding the Form I-983, which asks us to clarify what is expected of a DSO reviewing the Form I-983? Is the school official expected to verify the accuracy of the information on the form?

Rachel: The DSO should review the form for completeness and verify information easily known to them. In this review, they should ensure proper execution by the student and the employer of the student’s Form I-983. In other words, in addition to being complete, the Form I-983 must otherwise reflect compliance with relevant reporting and other requirements. Make sure that it is signed and addresses the questions asked.

So, another question that we got was about student entrepreneurs. Can you clarify how students who establish their own start-up companies can meet the new STEM extension eligibility requirements?

Katie: There must be a bona fide employer-employee relationship. If there is another person at the start-up who can sign as the employer, then the student may meet the requirements. The purpose of the STEM OPT period is to provide training.

We had some questions regarding Form I-765 application fees. Will USCIS charge a processing fee for the seven-month or the 24-month extension applications?

Rachel: Yes. USCIS will be charging a fee. They will not charge a fee, however, if you receive an RFE.

Katie: So, we will finish up there with the pre-submitted questions. I know many people have many more questions, and we will keep working to answer those questions and get information out for you. So, we really appreciate your



feedback, and we'd like to hear feedback about this conference presentation. The comments are reviewed throughout the year, and we use your comments and feedback to improve our presentations via webinar or face to face. There is a survey available, and the website information is on the bottom of the screen. If you need to contact SEVP for other reasons or information, you'll see our telephone numbers on the screen: 703-603-3400 or 800-892-4829. You'll reach our SEVP Response Center. You can also reach out to us through email: SEVP@ice.dhs.gov. If your questions are technical in nature, please reach out to the SEVIS help desk at SEVISHelpDesk@ice.dhs.gov.

Our folks are available Mondays through Fridays, 8 a.m. to 6 p.m. EDT, except holidays. Be aware that the SEVP Response Center will close every Wednesday from 12:50 to 1:20 p.m. Eastern Time for system testing. Also, check us out at StudyintheStates.dhs.gov, and there is way to contact us through that website as well.

Rachel: So, this concludes our webinar. Thank you for joining us today to learn more about STEM OPT.